

COMMITTEE ON ORDINANCES AND RULES
MINUTES – NOVEMBER 15, 2016

The Standing Committee on Ordinances and Rules was called to order at 6:05 p.m. by Councilor Monahan with Councilors Asack, Eaniri, Studenski , and Sullivan present.

A public hearing was scheduled on the following:

2. An Ordinance amending Chapter 27 of the Revised Ordinance of the City of Brockton: Be it ordained by the City Council of the City of Brockton as follows: Chapter 27. Zoning, is hereby amended by adding the following: Article XVII Wireless Communications Regulations. The Director of Planning and Economic Development appeared and spoke on the matter.

Councilor Sullivan expressed some concerns as to the proposed ordinance and a desire to meet with the Director and Legislative Counsel to review his concerns.

Councilor Sullivan moved to postpone the matter until the next committee meeting. Councilor Studenski seconded the motion and the motion carried.

A public hearing had been scheduled and was opened by the Chairman on the following:

3. An Ordinance amending Chapter XXVII of the Revised Ordinance of the City of Brockton. Be it ordained by the City Council of Brockton as follows: Chapter 27. Zoning, Sec. 27-4 Designation of zones, is hereby amended by deleting the section in its entirety and inserting new section Sec. 27-35.1-I-4 Salvage Yard Overlay District.

Attorney James Burke, Pearl Street, Brockton, MA appeared on behalf of property owners that operate in the area affected by the change in favor of the proposed change. Attorney Burke indicated the uses in the area affected by the change pre-existed zoning being implemented in 1967 and the proposed zoning change would make the uses conforming uses.

The Director of Planning and Economic Development appeared and spoke on the matter. He generally agreed with Attorney Burke's presentation.

Jeanne Holmes, Belcher Ave, Brockton, MA appeared and spoke in opposition to the proposed change. Ms. Holmes indicated the zoning board is best equipped to handle issues in this area and this zoning change would take the jurisdiction over the uses in the area away from the zoning board.

Susan Nicastro, Samuel Avenue, Brockton, MA appeared and spoke in opposition to the proposed change. She generally agreed with the prior speaker and called into question the manner in which this change came about and the use of an overlay district.

Councilor Sullivan moved to recommend the matter favorably and Councilor Eaniri seconded the motion. The motion carried.

The Committee next considered the following:

4. AN ORDINANCE AMENDING CHAPTER XIX OF THE REVISED ORDINANCES OF THE CITY OF BROCKTON: Chapter 19. Police Department. is hereby amended by adding the following new Article III: Trust Act, the purpose of which is to increase public confidence in the City of Brockton and its Police Department and to encourage members of the community to work in partnership with the police.

The Chairman indicated that Councilor Rodrigues requested that the matter be postponed. Certain invited individuals were unable to be present.

Councilor Asack expressed her desire that the matter be acted upon tonight.

Councilor Sullivan indicated the request of the sponsor should be given consideration.

Councilor Studenski requested that any invitees include "or their designee".

Councilor Sullivan moved to postpone the matter until a meeting of the Committee in January, 2017. Councilor Studenski seconded the motion and the motion carried.

The Committee next considered the following:

5. An Ordinance Amending Ch. XIV of the Revised Ordinances of the City of Brockton. Be it ordained by the City Council of the City of Brockton as follows: Chapter 14 is hereby amended by adding the following new section: Sec. 14-17.6 Fireworks.

Councilor Shaynah Barnes, sponsor of the matter, spoke in favor of the matter but requested that the matter be postponed until a meeting after the first of the year because of the Chief of Police's unavailability.

Councilor Asack moved to postpone the matter until a meeting of the Committee in January. Councilor Sullivan seconded the motion and the motion carried.

The Committee next considered the following:

6. An Ordinance Amending Section 2-146 of the Revised Ordinances of the City of Brockton. Section 2-146 Compensation – School Committee members elected by Ward.

Councilor Winthrop Farwell, sponsor of the matter, spoke in favor of the matter.

Councilors asked questions of Councilor Farwell.

Councilor Asack moved to recommend the matter favorably and Councilor Sullivan seconded the motion. The motion carried.

The Committee next considered the following:

7. An Ordinance Amending Article II of the Revised Ordinances of the City of Brockton Article II of the Revised Ordinances of the City of Brockton is hereby amended by inserting the following new section: Section 2-382 Minimum Qualifications for Director of Personnel.

Councilor Winthrop Farwell, sponsor of the matter, spoke in favor of the matter.

Councilor Sullivan moved to amend the foregoing ordinance by deleting the words “or related field”. Councilor Studenski seconded the motion and the motion carried.

Councilor Asack moved to postpone the matter until the next committee meeting. Councilor Sullivan seconded the motion and the motion carried.

The Committee meeting was adjourned at 6:55 p.m.

Councillor Thomas Monahan

